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ADAM I. KLEINBERG
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September 22, 2015

VIA ECF FILING

Honorable Lisa M. Smith
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

*Counsel for the Village
Defendants is excused
from the Sept. 25 settlement*

Re: *Phillips v. County of Orange, et al.*
Docket No. 10-cv-00239 (SHS) (LMS)
File No.: 100025

Your Honor:

conference. SO ORDERED
[Signature]

We represent the Village of Goshen (the "Village") and Police Officer Andrew Scolza in this matter.

We recently received a scheduling notice regarding a September 25, 2015 settlement conference before Your Honor. We write to request that the Court excuse us from attending the conference.

As the Court file will reflect, Police Officer Scolza was dismissed from the case in September 2012 on the ground of qualified immunity. Last month, Judge Stein granted the Village's motion for summary judgment. The remaining claims do not involve either of my clients.

I have spoken with counsel for all parties regarding our intention to write to the Court, as my clients would not be contributing any settlement funds. All counsel agreed that my appearance was not necessary for the conference.

In addition, I am scheduled to prepare four trial witnesses that day in an employment discrimination case scheduled for jury selection on Monday, September 28, 2015 before Judge Leonard D. Wexler in the Eastern District. Accordingly, I respectfully request that the Court excuse our participation from the upcoming settlement conference.

SOKOLOFF STERN LLP

Honorable Lisa Margaret Smith

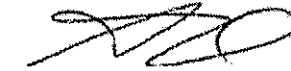
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Thank you for your consideration of this request.

Sincerely,

SOKOLOFF STERN LLP

A handwritten signature in black ink, appearing to read 'AK', is positioned above the printed name.

ADAM I. KLEINBERG

cc: All counsel of record (via ECF filing)